

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Fike *et al.*

Appl. No. 09/606,314

Filed: June 29, 2000

For: **Dry Powder Cell and Cell Culture
Reagents and Methods of
Production Thereof**

Confirmation No.: 1340

Art Unit: 1657

Examiner: Schuberg, Laura J.

Atty. Docket: IVGN 174.1 DIV

Amendment and Reply Under 37 C.F.R. § 1.111

COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In reply to the Restriction Requirement dated May 28, 2009, Applicants submit the following Remarks.

This response is filed with a Petition for two month extension of time and necessary fees. If additional extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required therefor (including fees for the net addition of claims) are hereby authorized to be charged to our Deposit account No. 50-3994.

Remarks

Claims 27, 36, 92-95, 103, 110, 111 and 122-125 are pending in the application and are subjected to restriction.

Without admitting to the propriety of this restriction, Applicants elect:

Invention I, Claims 27, 36, 92-95, 103, 110, 111 and 122 drawn to an agglomerated mammalian cell culture medium powder, prepared by agglomerating a dry powder culture medium with a solvent; wherein said agglomerated powder comprises a biological buffer and recombinant insulin and, upon being reconstituted with water,

comprises all the necessary nutritive factors for the proliferation or cultivation of a mammalian cell *in vitro*, without traverse, merely to expedite prosecution of this case.

Conclusion

Applicants believe that a full and complete Reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned.

Prompt and favorable consideration of this Amendment and Reply is respectfully requested.

Respectfully submitted,

/Daphne Reddy/

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Date: August 28, 2009